



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: 10/800,150

**Confirmation No. 6794**

Filed: March 13, 2004

**CERTIFICATE OF MAILING**

Applicants: Thomas J. DANLEY et al.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

Title: SOUND REPRODUCING  
APPARATUS AND METHOD  
FOR OPTIMIZING SAME

Art Unit: 2837

10/27/2004  
Date

Edward E. Clair

Examiner: Not yet assigned

Edward E. Clair  
Registration No. 51,565  
Attorney for Applicant(s)

Attorney Docket No.: 6954/82543

Customer No.: 22242

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

In response to the Office Action mailed September 27, 2004, we re-submit the Preliminary Amendment dated July 30, 2004 to supply the corrected section which complies with 37 CFR § 1.21. The Preliminary Amendment now includes a section entitled "Amendments to the Drawings" and includes attached "Replacement Sheets" of drawings and "Annotated Sheets" of drawings.

Application No. 10/800,150

Response to Notice of Non-Compliant Amendment dated October 27, 2004

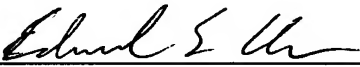
Reply to Office Action of September 27, 2004

We respectfully request that the Preliminary Amendment be entered and that the proposed amendments be considered when the application is examined on the merits.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: October 27, 2004



Edward E. Clair

Registration No. 51,565

120 South LaSalle Street, Suite 1600

Chicago, Illinois 60603-3406

Telephone (312) 577-7000

Facsimile (312) 577-7007



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: 10/800,150  
Filed: March 13, 2004  
Applicants: Thomas J. DANLEY et al.  
Title: SOUND REPRODUCING  
APPARATUS AND METHOD  
FOR OPTIMIZING SAME  
Art Unit: 2837  
Examiner: Not yet assigned

**Confirmation No. 6794**

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

10/27/2004

Date

Edward E. Clair

Registration No. 51,565

Attorney for Applicant(s)

Attorney Docket No.: 6954/82543

Customer No.: 22242

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment/reply in the above-identified application.

- ☒ A Response to Notice of Non-Compliant Amendment is enclosed.
- ☒ A Preliminary Amendment is enclosed.
- ☒ An Appendix including Replacement Sheets and Annotated Sheets of drawings is enclosed.
- ☒ No additional fee is required.

**Fee Calculation For Claims As Amended**

	As Amended	Previously Paid For	Present Extra	Rate	Additional Fee
Independent Claims	5	5	** = 0	x \$ 88.00	= \$ 0.00
Total Claims	15	20	* = 0	x \$ 18.00	= \$ 0.00
Fee for Multiply Dependent Claims				\$ 300.00	\$ 0.00
** At least 3			Total Additional Fee		\$ 0.00
* At least 20					

Application No. 10/800,150  
Preliminary Amendment dated October 27, 2004  
Reply to Office Action of September 27, 2004


☒ Applicant(s) assert entitlement to Small Entity Status  
(37 C.F.R. § 1.27), thus reducing the fee by half to: \$ 0.00

☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 06-1135.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

October 27, 2004  
Date

  
\_\_\_\_\_  
Edward E. Clair  
Registration No. 51,565

FITCH, EVEN, TABIN & FLANNERY  
120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007